

ROBBINS GELLER RUDMAN
& DOWD LLP

JOHN J. STOIA, JR. (141757)
RACHEL L. JENSEN (211456)
PHONG L. TRAN (204961)
655 West Broadway, Suite 1900
San Diego, CA 92101
Telephone: 619/231-1058
619/231-7423 (fax)
johns@rgrdlaw.com
rachelj@rgrdlaw.com
ptran@rgrdlaw.com

Class Counsel

DLA PIPER LLP (US)
SHIRLI FABBRI WEISS
CHRISTOPHER M. YOUNG
KATHERINE J. PAGE
401 B Street, Suite 1700
San Diego, CA 92101-4297
Telephone: 619/699-2700
619/699-2701 (fax)
shirli.weiss@dlapiper.com
christopher.young@dlapiper.com
katherine.page@dlapiper.com

Counsel for Defendants

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

In re GROUPON MARKETING AND
SALES PRACTICES LITIGATION

No. 3:11-md-02238-DMS-RBB
NOTICE OF MOTION AND JOINT
MOTION FOR APPROVAL OF
CLASS ACTION SETTLEMENT

JUDGE: The Hon. Dana M. Sabraw
CTRM: 13A
DATE: February 26, 2016
TIME: 1:30 p.m.

1 TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

2 PLEASE TAKE NOTICE that, on February 26, 2016, at 1:30 p.m., or as soon
 3 thereafter as the matter may be heard in the Courtroom 13A (13th Floor – Carter/Keep
 4 Courthouse) of the Honorable Dana M. Sabraw, located at 333 West Broadway, Suite
 5 1310, San Diego, California 92101, plaintiffs Barrie Arliss, Nevin Booth, Julie
 6 Buckley, Ashley Christensen, Jason Cohen, Adam Dremak, William Eidenmuller,
 7 Anthony Ferreira, Sarah Gosling, Eli R. Johnson, Heather Kimel, Jeff Lawrie,
 8 Michael McPherson, Sarah Mehel, Nicholas Spencer, Eric Terrell, Carlos Vazquez,
 9 and Brian Zard (“Plaintiffs”), and defendants Groupon, Inc., Nordstrom Inc., Full
 10 Circle Farms, Inc., The Gap, Inc., Whirly West Inc. d/b/a/ WhirlyBall, Fun Time, LLC
 11 d/b/a/ Wheel Fun Rentals, and YMCA of Metropolitan Washington (“Defendants”)
 12 (collectively, the “Parties”), by and through their undersigned attorneys, will and
 13 hereby do jointly move this Court for an order that: grants approval of the Parties’
 14 Stipulation of Class Action Settlement (“Settlement Agreement”); and (2) Certifies the
 15 Settlement Class.

16 This joint motion is brought pursuant to Federal Rule of Civil Procedure 23(e)
 17 and is based on this notice; the accompanying memorandum of points and authorities
 18 in support thereof, the Declarations of attorneys Shirli Fabbri Weiss, Katherine J.
 19 Page, and of Norman Swett, Senior Project Manager for Rust Consulting, Inc., and the
 20 prior submitted Declaration of Rachel Jensen all in support thereof; the complete file
 21 and record in these Actions; the argument of counsel; and such other and further

22 /////

23 /////

24 /////

25 /////

26 /////

27 /////

28 EAST\121060454.1

evidence and argument as the Court may request or may be presented to the Court at the time of the hearing.

DATED: January 29, 2016

Respectfully submitted,

DLA PIPER LLP (US)
SHIRLI FABBRI WEISS
CHRISTOPHER M. YOUNG
KATHERINE J. PAGE

s/ Shirli Fabbri Weiss

SHIRLI FABBRI WEISS

401 B Street, Suite 1700
San Diego, CA 92101-4297
Telephone: 619/699-2700
619/699-2701 (fax)

Counsel for Defendants

DATED: January 29, 2016

ROBBINS GELLER RUDMAN
& DOWD LLP
JOHN J. STOIA, JR.
RACHEL L. JENSEN
PHONG L. TRAN

s/ John J. Stoia, Jr.

JOHN J. STOIA, JR.

655 West Broadway, Suite 1900
San Diego, CA 92101
Telephone: 619/231-1058
619/231-7423 (fax)

Class Counsel

ECF CERTIFICATION

The filing attorney attests that she has obtained concurrence regarding the filing of this document from the signatories to this document.

Dated: January 29, 2016

By: s/ Shirli Fabbri Weiss
SHIRLI FABBRI WEISS